

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

DONNA SCOTT,

Plaintiff,

v.

BILL OF COSTS

Case Number: C-1-02-75

UNION CENTRAL LIFE INSURANCE COMPANY,

Defendant.

Judgment having been entered in the above-entitled action on August 31, 2004 against Plaintiff the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$
Fees for service of summons and subpoena
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	3,171.10
Fees and disbursements for printing
Fees for witnesses (itemize on reverse side)
Fees for exemplification and copies of papers necessarily obtained for use in the case	1,006.98
Docket fees under 28 U.S.C. 1923	2,285.31
Costs as shown on Mandate of Court of Appeals
Compensation of court-appointed experts
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828
Other costs (please itemize)
TOTAL \$ 6,463.39	

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Randolph Freking and George Reul, attorneys for Plaintiff

Signature of Attorney:

Name of Attorney: Deborah DeLong, Esq.

For: Defendant Union Central Life Insurance Company
Name of Claiming Party

Date: 9/14/04

Costs are taxed in the amount of _____ and included in the judgment.

By:

Clerk of Court

Deputy Clerk

Date

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

;

DONNA SCOTT, : Civil Action No. C-1-02-075

Plaintiff, : Judge Weber

v. :
;

THE UNION CENTRAL LIFE : **DEFENDANT'S MEMORANDUM IN**
INSURANCE COMPANY, : **SUPPORT OF ITS BILL OF COSTS**

Defendant. :
;

The following is an itemization of costs listed on Defendant Union Central Life Insurance Company's Bill of Costs.

A. Court Reporter Fees for Deposition Transcripts which were Necessarily Obtained for Defendant's Motion for Summary Judgment, and which were Filed with the Court. (Supporting document is attached as Exhibit A.)

1.	Deposition of Plaintiff Donna Scott:	\$787.00
2.	Deposition of Donna Anderson	\$146.00
3.	Deposition of Rebecca Deppen	\$672.85
4.	Deposition of Edwin (Eddie) Erickson, Jr.	\$284.00
5.	Deposition of Jill Krebs	\$161.00
6.	Deposition of Richard Pretty	\$311.00
7.	Deposition of Connie Rutherford	\$809.25
	SUBTOTAL	\$3,171.10

B. Fees for Witness Richard Pretty, Who Lives in Baltimore, Maryland and Who Testified at Trial on Behalf of Defendant. (Supporting Documentation is Attached as Exhibit B.)

1.	Subsistence Allowance	
	Food in Ohio:	\$21.89
	Hotel in Cincinnati:	\$334.88
2.	Mileage	
	Roundtrip coach-class airfare from Baltimore-Washington Airport (BWI) to Cincinnati:	
		\$598.21
3.	Miscellaneous Expenses	
	Parking at BWI Airport:	\$52.00
	 SUBTOTAL:	 \$1,006.98

C. Fees for Copying of Documents Produced by Plaintiff During Discovery (Supporting Documentation Attached as Exhibit C.)

1. Bill from Copyplex: \$2,285.31

TOTAL: \$6,463.39

Respectfully submitted,



Deborah DeLong (0014174)

Michael J. Newman (0042684)

Dinsmore & Shohl LLP

1900 Chemed Center

255 East Fifth Street

Cincinnati, OH 45202

(513) 977-8646 (phone)

(513) 977-8141 (fax)

Trial Attorneys for Defendant,
The Union Central Life Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2004 a copy of the foregoing was filed electronically and faxed to Plaintiff's counsel, Randolph H. Freking and George M. Reul, Jr. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Michael J. Newman
Michael J. Newman (0042684)